

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ANTOINE WAINWRIGHT,)	
)	
Plaintiff,)	
)	
vs.)	Civil Case No. 04-183-GPM-PMF
)	
EUGENE MCADORY, et al.,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

FRAZIER, Magistrate Judge:

Before the Court is a motion for summary judgment, filed by defendants McAdory and Grubman (Doc. No. 57). In this civil rights action, plaintiff challenges the conditions of his confinement at Menard Correctional Center. In particular, he alleges that he did not receive adequate medical treatment. These defendants seek judgment in their favor pursuant to Rule 56, which permits summary judgment when the material facts are not disputed and a party is entitled to judgment in his or her favor.

Plaintiff failed to respond to the motion seeking summary judgment after being advised that the lack of response would be construed as an admission that the motion has merit (Doc. No. 64). Accordingly, the motion for summary judgment is deemed admitted. SDIL-LR 7.1(c).

IT IS RECOMMENDED that the motion to for summary judgment filed by defendants McAdory and Grubman (Doc. No. 57) be GRANTED. Judgment should be entered in favor of these defendants at the close of this case.

SUBMITTED: December 6, 2006 .

s/ Philip M. Frazier
PHILIP M. FRAZIER
UNITED STATES MAGISTRATE JUDGE